



#10
9/15/03
Docket No. NB 2019-00

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[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents, P.O. box 1450, Alexandria, VA 22313-1450.

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Dated: September 3, 2003

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Michael SHEPARD

Assignee: NewBiotics Inc.

Filing Date: January 18, 2002

Examiner: Theodore J. Criares

Serial No.: 10/051,320

Group Art Unit: 1617

Title: METHODS TO TREAT AUTOIMMUNE AND INFLAMMATORY CONDITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Dear Sir:

On July 16, 2003, a requirement for election of species was issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response was due by August 16, 2003. Applicant petitions for a one month extension of time, thereby extending the deadline to reply to September 16, 2003. Authorization to charge the amount of the fee due in connection with the additional extension of time is given *infra*. In view of the filing of the Petition and payment of the fee, a response is due September 17, 2003. Accordingly this response is timely filed.

REMARKS

Claims 1 to 22 are pending in the subject application. Applicant elected with traverse to prosecute the invention of Group I, claims 1-19 as they read on rheumatoid arthritis. However,